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**NCDENR
PERMIT TO CONSTRUCT**

**Construction and Demolition Transfer,
Treatment, and Processing Facility**

**Todco Inc.
1123 Roy Lopp Road, Lexington
Davidson County, North Carolina**



Todco Inc Wood Recycling Facility
C&D T&P Facility
Facility Permit No: 2908-Transfer-2013
Permit to Construct
March 5, 2013
Document ID No. 18509
Page 1 of 10

North Carolina Department of Environment and Natural Resources

Division of Waste Management

Pat McCrory
Governor

Dexter R. Matthews
Director

John E. Skvarla, III
Secretary

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
SOLID WASTE SECTION

**SOLID WASTE MANAGEMENT FACILITY
PERMIT NO. 2908-TRANSFER-2013**

Todd and Cherie Warfford (Landowner)
AND
TODCO INC. (OPERATOR)
is hereby issued a

PERMIT TO CONSTRUCT

A CONSTRUCTION AND DEMOLITION TRANSFER,
TREATMENT AND PROCESSING FACILITY

located at 1123 Roy Lopp Road (SR2048), 0.9 mile north of the Holly Grove Road intersection, Lexington, Davidson County, North Carolina, in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located and described by the legal description of the site or the property map contained within the approved application.

Digitally signed by Edward F.
Mussler III, P.E.
DN: cn=Edward F. Mussler III,
P.E., o=Solid Waste Section,
ou=NC DWM,
email=ed.mussler@ncdenr.gov
, c=US
Date: 2013.03.05 14:27:36
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Edward F. Mussler, III, P.E.,
Permitting Branch Supervisor
Permitting Branch

ATTACHMENT 1

PART I: PERMITTING HISTORY

FACILITY PERMIT NO: 34-16T	ISSUANCE DATE	Doc. ID No.
Permit to Operate, Solid Waste Treatment and Processing and Type 1 Compost Facility	4/29/2004	18508
Permit to Operate, Modification	4/30/2009	16114
Permit to Construct - C&D Transfer Station and Processing Facility.	3/5/2013	18509

1. Facility registered with Department of the Secretary of State on October 26, 1992 as Todco Inc. and began operations on October 26, 1992.
2. On April 29, 2004 the North Carolina Department of Environment and Natural Resources (NCDENR) Division of Waste Management issued Permit Number 29-08 for the subject facility which allowed Solid Waste Treatment and Processing and Type I Composting Facility at the subject site.
3. "Todco Inc., Wood Recycling Facility" received a Permit to Operate (Permit expires April 13, 2014) a Solid Waste Treatment and Processing Facility. The facility deleted Type 1 composting but added additional property.

PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

1. *Todco, Inc, Wood Recycling Facility, Treatment and Processing Permit Application – 1123 Roy Lopp Road, Davidson County, NC. Prepared by EcoLogic Associates, P.C. July 2002. Revised April 12, 2004. DIN 18508.*
2. *Revised Solid Waste Treatment and Processing Facility Permit Application and Operations and Maintenance Manual, Todco, Inc. Wood Recycling Facility. Prepared by: Blue Ridge Geological Services, Inc. December 22, 2008. Revised: January 22, 2009. DIN 16114.*
3. *Response to NCDENR Letter Dated July 17, 2012, Todco, Inc. Facility. Complete revised Application and Operation Plan. Prepared by: Blue Ridge Geological Services, Inc. December 28, 2011. November 16, 2012. DIN 17892.*
4. *Traffic Impact on SR 2048 (Roy Lopp Rd.) in Lexington, Davidson. Prepared by: State of North Carolina, Department of Transportation. January 16, 2013. DIN 18276.*

PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY

Davidson County, N.C., Register of Deeds				
Book	Page	Grantee	Grantor	Deeded Acreage
1121	538	Dorothy L. Scarlett	Todd and Cherie Warfford	11.63
1507	107	Sherry and Richard Hedrick	Todd Avery Warfford	14.26
1824	943	Vivian and Christopher Rolfe	Todd A. Warfford	10.45
Total Site Acreage				36.34

PART IV: GENERAL PERMIT CONDITIONS

1. This solid waste facility permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Section). In accordance with North Carolina Solid Waste Management Rules 15A NCAC 13B .0201 (c) and .0201(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The Permit to Construct must be implemented in accordance with Attachment 2 of this permit. The Permit to Operate must be implemented in accordance with Attachment 3 of this permit.
2. The person or persons to whom this permit is issued ("Permittee") are the owners and operators of the solid waste management facility.
3. This permit shall not be effective until the certified copy of this permit which references legal descriptions for all land within the solid waste management facility boundary is recorded in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording, must be returned to the Section within 30 calendar days of issuance of this permit. If the Section does not receive the certified copy of the recorded permit within 30 calendar days of issuance of the permit, then and in that event, the permit is suspended and of no effect until the date the Section receives the certified copy of the recorded permit.
4. When this property is sold, leased, conveyed, or transferred in any manner, the deed or other instrument of transfer shall contain in the description section in no smaller type than that used in the body of the deed or instrument, a statement that the property has been used as a solid waste management facility and a reference by book and page to the recordation of the permit.

5. By beginning construction or receiving waste at this facility, the Permittee shall be considered to have accepted the terms and conditions of this permit.
6. Construction and operation of this solid waste management facility must be in accordance with the Solid Waste Management Rules, 15A NCAC 13B, Article 9 of the Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.), the conditions contained in this permit and the approved plan. Should the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition.
7. This permit is issued based on the documents submitted in support of the application for permitting the facility including those identified in Attachment 1, Part II "List of Documents for Approved Plan," which constitutes the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.
8. This permit may be transferred only with the approval of the Solid Waste Section through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g), the Permittee must notify the Solid Waste Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator including but not limited to a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.
9. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for sedimentation and erosion control, and a General or Individual National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit, if applicable. Issuance of this permit does not remove the permittee's responsibilities for compliance with any other local, state or federal rule, regulation or statute.

- End of Section -

ATTACHMENT 2

CONDITIONS OF PERMIT TO CONSTRUCT

PART I: CONSTRUCTION CONDITIONS

CONSTRUCTION AND DEMOLITION TRANSFER, TREATMENT AND PROCESSING FACILITY

1. This permit authorizes construction of the transfer facility in accordance with the approved plans, Attachment 1, Part II, List of Documents for the Approved Plan. Any revision or modification to these plans shall be submitted to the NC Solid Waste Section (Section) for review and approval prior to installation, construction or implementation of the change and may be subject to additional fees.
2. The transfer facility construction conditions listed in this part of the permit, Attachment 2, Part I, are in effect for 18 months following the issuance date of this permit. If construction of the transfer facility and pre-operational approval is not completed within the 18 months, the permittee shall submit a request to reissue the Permit to Construct and pay a Transfer Station Permit Modification Fee. The facility design and Operation Plan shall be subject to and shall comply with the Rules in effect at that time.
3. Construction of the solid waste management facility must be in accordance with the documents contained in Attachment I, Part II List of Documents for the Approved Plan.
4. The permittee must conduct a preconstruction meeting at the facility prior to initiating construction and must notify the Section in writing at least 10 days prior to the meeting.
5. Modifications or revisions of the approved documents or changes during facility construction must be submitted to the Section for review and approval prior to implementing the modifications or revisions. Changes from the Approved Plan may constitute a permit modification and be subject to a permitting fee.
6. The following conditions must be met prior to operation of the Transfer facility:
 - a. The Permittee must obtain a Permit to Operate for the facility from the Section in accordance with 15A NCAC 13B .0201(d).
 - b. Certification by the project engineer that the facility was built in accordance with approved plans and the conditions of the permit must be submitted to the Section for review and approval.
 - c. The Permittee must contact the appropriate regional environmental specialist and permitting engineer to determine whether the Section chooses to hold a pre-operative meeting with key facility personnel and representatives of the Section.
 - d. The edge of the facility footprint must be identified with permanent physical markers.

- e. The Financial Assurance instrument for Closure and Post Closure Care costs must be submitted to the Section.
- 7. All required sedimentation and erosion control measures must be installed and operable to mitigate excessive on-site erosion and to prevent silt from leaving the permitted area during the construction and service life of the facility.
- 8. All earth disturbing activities must be conducted in accordance with the Sedimentation Pollution Control Act of 1973 (15 NCAC 4) and consistent with any other local, state or federal requirements.
- 9. Facility construction, operations or practices must not cause or result in a discharge of pollution, dredged material, and/or fill material into waters of the state in violation of the requirements under Sections 401 and 404 of the Clean Water Act, as amended.
- 10. Modifications to the approved sedimentation and erosion control activities require approval by the North Carolina Land Quality Section. The Section must be notified of any sedimentation and erosion control plan modifications.

- End of Section -

ATTACHMENT 3 CONDITIONS OF PERMIT TO OPERATE

PART I: GENERAL FACILITY CONDITIONS

- 1. The Permit to Operate the Transfer Facility shall not be issued until an application is submitted demonstrating the Attachment 2 Permit to Construct conditions are completed and in accordance with 15A NCAC 13B .0201(d). When the Division receives satisfactory documentation that the Attachment 2 Permit to Construct conditions are completed, a Permit to Operate will be issued containing the following conditions.
- 2. The facility is permitted to receive construction and demolition [C&D] solid waste as defined in NCGS 130A-290 (a)(4). In addition, the following, at a minimum, must not be accepted at the facility; hazardous waste, liquid wastes, regulated medical waste, sharps not properly packaged, regulated-asbestos containing material as defined in 40 CFR 61, PCB waste as defined in 40 CFR 761.
- 3. This facility is permitted to receive construction and demolition (C&D) solid waste generated from service area of Davie County, Forsyth County, Guilford County, Randolph County, and Davidson County. The facility is expected to process approximately 5,000 to 26,000 tons of construction and demolition waste per year. This amount equates to a daily volume of

construction and demolition waste of approximately 100 tons per day (based on 260 work days per year) and 2,167 tons per month (based on 21.67 working days per month).

4. Residual waste must be transported for disposal to Davidson County MSW Lined Landfill, permit number 2906-MSWLF-1994 located in Davidson County. Proposed changes to the service area and/or the disposal facility must be submitted in writing to the Section for review and approval prior to any changes. Any change to the operation plan may constitute a permit modification and be subject to the applicable permitting fee.
5. The permittee must not knowingly dispose of, or accept for transfer for subsequent disposal, solid waste that is generated within the boundaries of a unit of local government that by ordinance:
 - a. Prohibits generators or collectors of solid waste from disposing of that type or form of solid waste.
 - b. Requires generators or collectors of solid waste to recycle that type or form of solid waste.
6. A responsible individual trained and certified in facility operations must be on-site at all times during all operating hours of the facility, in accordance with G.S. 130A-309.25.
7. The permittee must develop, and use, a training and screening program at the facility for detecting and preventing unauthorized wastes from being accepted at the facility. At a minimum, the program must include:
 - a. Random inspections of incoming loads or other comparable procedures.
 - b. Records of all inspections.
 - c. Training of personnel to recognize hazardous, liquid and other excluded waste types.
 - d. Development of a contingency plan to properly manage any identified hazardous, liquid, or other excluded or unauthorized wastes. The plan must address identification, removal, storage and final disposition of these wastes.
8. The facility must not cause nuisance conditions.
 - a. The tipping floor and loading area must be maintained in a clean, sanitary condition at all times and must be cleaned at least daily.
 - b. C&D waste must only be deposited on a "tipping floor" or directly into a transfer container. Waste must not be stored on the "tipping floor" after operating hours.
 - c. C&D waste may be stored on-site, in leak proof transfer trailers, with watertight covers, a maximum of 5 calendar days. Storage of the waste must not cause any nuisance, such as odor or attraction of vectors.
 - d. Overnight storage of putrescible wastes, other than wastes generated by employee domestic activities, is not permitted.

- e. Effective vector control measures must be applied at all times to control any potential vectors including flies, rodents, insects, and other vermin.
 - f. Control measures must be utilized to minimize and eliminate visible dust emissions and blowing litter.
 - i) Fugitive dust emissions are prohibited.
 - ii) Windblown materials must be collected by the end of the day and no windblown material may be allowed to leave the facility boundary.
9. All water that comes in contact with solid waste, including vehicle wash-down water, is leachate and must be captured and properly treated before release to the environment.
- a. The leachate control system, such as floor drains, leachate collection devices, sanitary sewer connections and leachate storage tanks must be operational during facility operations.
 - b. The tipping floor must drain away from the building entrance and into the leachate collection system.
10. The permittee must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures.
11. In the event of noncompliance with the permit, the permittee must take effective measures to minimize releases to the environment, and must carry out such measures to prevent adverse impacts on human health or the environment.
12. All sedimentation and erosion control activities must be conducted in accordance with the Sedimentation Control Act N.C.G.S. 113A-50, et seq., and rules promulgated under 15A NCAC 4.
13. Copies of this permit, the approved plans, and all records required to be maintained by the permittee must be maintained at the facility and made available to the Section upon request during normal business hours
14. The permittee must maintain a record of the amount of solid waste received at the facility, including daily records of waste received and origins of the loads. Scales must be used to weigh the amount of waste received. The daily records are to be summarized into a monthly report for use in the required annual reports.
15. On or before August 1 annually, the Permittee must submit an annual facility report to the Solid Waste Section, on forms prescribed by the Section.
- a. The reporting period shall be for the previous year beginning July 1 and ending June 30.

- b. The annual facility report must list the amount of waste received in tons and be compiled:
 - i) On a monthly basis.
 - ii) By county, city or transfer station of origin.
 - iii) By specific waste type.
 - iv) By receiving disposal facility.
 - v) By diversion to alternative management facilities.
- c. The completed report must be forwarded to the Regional Environmental Specialist for the facility by the date due on the prescribed annual facility report form.
- d. A copy of the completed report must be forwarded to each county manager for each county from which waste was received at the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Environmental Specialist by the date due on the prescribed annual facility report form.

ATTACHMENT 4 WOOD WASTE TREATMENT AND PROCESSING CONDITIONS OF PERMIT TO OPERATE

PART I: GENERAL FACILITY CONDITIONS

1. This permit shall expire on **April 3, 2014**. A change in ownership, increase in facility capacity, process changes or receiving additional waste types shall require a permit modification.
2. Operation and maintenance of this facility shall be in accordance with the Solid Waste Management Rules (15A NCAC 138, Section .0202), the permit application and the Operation Plan submitted with the permit application. Failure to comply may result in compliance actions or permit revocation.
3. Any leachate generated at the facility shall be managed in such a manner that there will be no degradation of ground or surface waters.

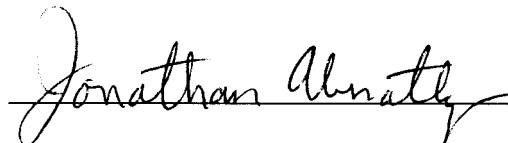
4. This facility shall be operated in such a manner that soil erosion and runoff from the site shall be controlled. Erosion and runoff control structures shall be maintained in place and in proper working order.
5. The 100-foot property line buffer shall be maintained free of waste and final product.
6. Only materials specifically listed in the permit application may be managed at this facility without adequate testing and prior approval of the Division of Waste Management. Low carbon-nitrogen wastes, such as grass clippings shall not be received at the facility. Any heat generation in excess of 110 degrees Fahrenheit (composting) in any of the piles of material at the facility will be considered a permit violation and shall result in the facility meeting all the requirements of Section .1400 of the Solid Waste Management Rules within 3 months.
7. Non conforming waste received at the facility or removed from final product during screening shall be maintained in an appropriate on-site container or removed from the facility within 24 hours and properly disposed. Contaminated soils may not be managed at this facility.
8. Groundwater monitoring wells may be required if there is indication of the potential for groundwater contamination.
9. This facility shall be operated and maintained with sufficient dust control measures to minimize airborne emissions and to prevent dust from becoming a nuisance or safety hazard.
10. The amount of waste received and the amount and type of products sold or otherwise distributed shall be reported to the Division of Waste Management by August 1 of each year for the previous July 1 to June 30.

- End of Permit Conditions -

North Carolina, Davidson County

I, Jonathan Abernathy, a Notary Public for Davidson County, North Carolina, do hereby certify that Jeffrey Gerlock personally appeared before me this day and acknowledged the du execution of the forgoing instrument.

Witness my hand and official seal this the 29th day of March, 2013.


My commission expires: September 30, 2013

